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September 3, 2021

By ECF

The Honorable Jesse M. Furman
United States District Judge
Southern District of New York
40 Centre Street, Room 2202
New York, New York 10007

Re: Accent Delight International Ltd., et al. v. Sotheby's, et al.
18 Civ. 9011 (JMF)

Dear Judge Furman:

On behalf of Non-Party Yves Bouvier, we write in order to provide the Court with further information so as to determine whether to reconsider the Court's Order, dated September 2, 2021, concerning the production of written minutes of the interview of Mikhail Sazonov.

The ruling of the Monaco Court of Appeals applies to the written minutes at issue.

The minutes are written documents summarizing questions asked of the witness, either by the police or the investigating magistrate, and the answers given by the witness. They, like all other materials, are assigned a "D" number in the Monaco case file. Minutes of Sazonov's statements to the police and investigating magistrate were assigned numbers D 58 and D 1080.

As the Court has previously been made aware from prior correspondence submitted by Bouvier in this case and in the related Section 1782 litigation, and which the Court may have overlooked, the ruling applies to *every* document from D 56 onwards. *See* ECF No. 336 at 1-2; ECF No. 139 at 1-3; ECF No. 139-1 at 1-2, 45-46; 16 Misc. 125, ECF No. 208 & Exh. A; 16 Misc. 125, ECF No. 211 & Exh. A.

As Bouvier has previously summarized, "all the actions carried out during the [police] inquiry" and "all the actions carried out during the subsequent [judicial] investigation" were tainted, holdings that the Court may have overlooked. These actions include the taking of statements from witnesses, including Sazonov. *See generally* ECF No. 139 at 2-3; 16 Misc 125, ECF 211 at 2.

As such, D 58 and D 1080, and every other document after D 56, may not be lawfully used, consistent with the orders of the Monaco courts.

Respectfully submitted,

/s/

Daniel W. Levy

Cc: All counsel (by ECF)

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